

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
THIRTIETH REGION

Janesville, Wisconsin

AMTEC CORPORATION¹

Employer

and

Case 30-RC-6550

**INTERNATIONAL UNION, UNITED AUTOMOBILE,
AEROSPACE & AGRICULTURAL IMPLEMENT
WORKERS OF AMERICA - UAW**

Petitioner

DECISION AND DIRECTION OF ELECTION²

The parties presented no issues at the hearing.³ I am, therefore, directing an election. The parties stipulated as to the appropriateness of the bargaining unit,⁴ and I find that the following employees of the Employer constitute an appropriate unit for purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All full and part-time production and maintenance employees, including facility maintenance employees, employed by the Employer at its 4230 Capital Circle facility in Janesville, Wisconsin; excluding quality control engineers, receiving inspectors, tool and die makers, design engineers, machine maintenance employees, electronic technicians, office clerical employees, guards and supervisors as defined in the Act.⁵

DIRECTION OF ELECTION

¹The name of the Employer appears as amended at hearing.

²Upon a petition duly filed under Section 9(c) of the National Labor Relations Act, as amended, a hearing was held before a hearing officer of the National Labor Relations Board, hereinafter referred to as the Board. Pursuant to the provisions of Section 3(b) of the Act, the Board has delegated its authority in this proceeding to the undersigned. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed. The Employer is engaged in commerce within the meaning of the Act, and it will effectuate the purposes of the Act to assert jurisdiction herein. The Union, a labor organization within the meaning of Section 2(5) of the Act, claims to represent certain employees of the Employer. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.

³The Union submitted a brief position statement stating that there are no issues to be resolved by the Board. The Employer submitted a letter stating it would not be submitting a post-hearing brief.

⁴During the hearing, the Petition was amended to include two units, Unit A and Unit B. After the hearing, the Union withdrew Unit B from the Petition. As a result, only the description for Unit A appears herein.

⁵The parties stipulated and I find that employees Randy Dobson, a facility maintenance employee, and Deb Indjer, a quality inspector, are properly included in the unit. The parties stipulated and I find that Jeremy Harnack, Rob Lee, Rich Braine, and Linda Klessig are supervisors as defined in Section 2(11) of the Act based on their authority to hire, fire, and direct work. The parties stipulated and I find that Rick Porter, a material control coordinator, is a managerial employee as defined by *General Dynamics Corp.*, 213 NLRB 851 (1974), and is, consequently, excluded from the unit.

An election by secret ballot shall be conducted by the undersigned among employees in the unit found appropriate at the time and place set forth in the notice of election to be issued subsequently, subject to the Board's Rules and Regulations. Eligible to vote are those in the unit who were employed during the payroll period ending immediately preceding the date of this Decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Employees engaged in any economic strike who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, in an economic strike which commenced less than 12 months before the election date, employees engaged in such strike who have retained their status as strikers but who have been permanently replaced, as well as their replacements, are eligible to vote. Those in the military services of the United States may vote if they appear in person at the polls. Ineligible to vote are employees who have quit or been discharged for cause since the designated payroll period, employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and employees engaged in an economic strike which commenced more than 12 months before the election date and who have been permanently replaced. Those eligible shall vote whether or not they desire to be represented for collective bargaining purposes by International Union, United Automobile, Aerospace & Agricultural Implement Workers of America - UAW.

LIST OF VOTERS

In order to ensure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to the list of voters and their addresses which may be used to communicate with them. *Excelsior Underwear, Inc.*, 156 NLRB 1236 (1966); *NLRB v. Wyman-Gordon Company*, 384 U.S. 759 (1969); *North Macon Health Care Facility*, 315 NLRB 359 (1994). Accordingly, it is hereby directed that within 7 days of the date of this Decision, the Employer shall file with the undersigned, **two** copies of an election eligibility list, containing the **full** names (including first and last names) and addresses of all the eligible voters, and upon receipt, the undersigned shall make the list available to all parties to the election. To speed preliminary checking and the voting process itself, it is requested that the names be alphabetized. **In order to be timely filed, such list must be received in the**

Regional Office, Suite 700, Henry S. Reuss Federal Plaza, 310 West Wisconsin Avenue, Milwaukee, Wisconsin 53203 on or before October 14, 2003. No extension of time to file this list shall be granted except in extraordinary circumstances, nor shall the filing of a request for review operate to stay the requirement here imposed.

RIGHT TO REQUEST REVIEW

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the Executive Secretary, Franklin Court, 1099 14th Street, N.W., Washington, DC 20570. **This request must be received by the Board in Washington by October 21, 2003.**

Signed at Milwaukee, Wisconsin on October 7, 2003.

Irving E. Gottschalk, Acting Regional Director
National Labor Relations Board
Thirtieth Region
Henry S. Reuss Federal Plaza, Suite 700
310 West Wisconsin Avenue
Milwaukee, Wisconsin 53203

393-6081-2075-0000